IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 35478 of 2005(W)

PETITIONER:

SUNNY PAUL, AGED 44 YEARS,
S/O. PAILY, KAKKANATTU HOUSE, MONIPPILLY P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.A.T.ANILKUMAR
SRI.P.DALBI EMMANUEL

RESPONDENTS:

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1. THE REGIONAL TRANSPORT OFFICER,
KOTTAYAM.

2. UZHAVOOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN
SR.GOVT. PLEADER SRI.R.LAKSHMI NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC 35478/2005

APPENDIX

PETITIONER'S EXTS.

EXT.P1 - PHOTO COPY OF THE PHOTOGRAPHS SHOWING THE INITIAL ATTEMPTS TO ERECT THE WAITING SHED AND STORED MATERIALS.

EXT.P2 - THE TRUE COPY OF THE ORDER PASSED BY THE 1ST RESPONDENT DATED 9.8.2005.

EXT.P3 - THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER AND LOCAL PEOPLE.

RESPONDENTS' EXTS. NIL

/TRUE COPY/

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 35478 OF 2005-W

JUDGMENT

The petitioner has approached this Court, seeking a direction to the 2nd respondent Panchayat to complete the construction of a bus waiting shed at Kappilanchodu. He seeks a further direction to the respondents who are respectively, the Regional Transport Officer, Kottayam and Uzhavoor Grama Panchayat to shift the bus-stop from Kallidukki junction to Kappilanchodu junction. Whether a bus bay should be constructed or not is a matter for the Panchayat to decide. Further, where a bus-stop should be allowed is a matter for the R.T.A concerned to decide. This Court is not justified in interfering with these matters under Article 226 of the Constitution of India. So, the writ petition is closed without prejudice to the right of the petitioner to move the concerned authorities for appropriate reliefs.

12th December, 2007. **K.BALAKRISHNAN NAIR, JUDGE.**

Nm/